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September 8, 2005

The Honorable Joan M. Azrack
Magistrate Judge
U.S. District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

FAXED ORIGINAL TO (718) 260-2536
(1 Page)

Re: Dawkins et al. v. New York City Board of Education Settlement Conference
CV 98 0334 (CBA)(JMA)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT
E.D.N.Y.
SEP 8 2005
TIME A.M. 2:15 P.M.

Dear Judge Azrack:

I request that the settlement conference scheduled for September 9, 2005 be postponed to on or about September 30. I ask for this postponement because I've had insufficient opportunity to analyze defendants' August 31 counter-offer to plaintiffs' May 4, 2005 demand. The emergent illness on September 3 and death on September 7, of Viola Thorps, a 96 year old senior whose care I and others have undertaken for years, has required most of my time and attention during the short time since I received defendants' proposal.

I have had no opportunity to determine whether or not opposing counsel, Alan Schlesinger, is agreeable to this deferment of the conference. However, previously we both had anticipated that we would have the opportunity to discuss settlement prior to a conference with you. I still hope for that occurrence. I am unlikely to have any opportunity to speak with Mr. Schlesinger during the course of today; hence this letter at this time.

Sincerely,

Joan Franklin Mosley
Joan Franklin Mosley (JM 8602)
Attorney for Plaintiff

cc: Alan Schlesinger
Asst. Corporation Counsel (Faxed to (212) 788-0940)

Sett. conf
10/6/05
2:15 pm

s/JMA

9/8/05 97%